

Practice Support Tip - Delivery of bills

It has come to the attention of the Society that law firms have been unsuccessful in proceedings for recovery of their legal costs because they have either:

- delivered their bill by email without having obtained their client's consent to the bill being 'given electronically' as required by s.330(7) of the *Legal Profession Act 2007* ("the LPA"); and/or
- failed to provide the notification of the client's rights as required by s.331(1) of the LPA.

Section 329 of the LPA provides that a law practice must not start legal proceedings to recover legal costs from a person until at least 30 days after the law practice has given a bill to the person under sections 330 and 331.

It is recommended that practitioners adopt the following processes to ensure compliance with s.330 (7) and s.331 (1) of the LPA:

- include a provision in their client agreement whereby the client consents to the bill being given to them electronically; and
- include the notification of client's rights setting out the matters referred to s.331(1) (a) and (b) of the LPA in the bill or in a written statement accompanying the bill.

For a more detailed discussion on costs disputes and proceedings refer to chapter 4 of the [QLS Costs Guide 2014](#).

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